

May 1, 1979

LB 390

SENATOR BURROWS: I think it's self-explanatory if that's what we're setting the usury rate. I think the body should be ready to vote up and down. Do we want it? Actually 12 1/2 percent with no questions out. I move the request....

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: I move the previous question.

SPEAKER MARVEL: The previous question has been called for. Do I see five hands? I see five hands. The question before the House is, shall debate cease? All those in favor vote aye, opposed no. Have you all voted? Record.

CLERK: 26 ayes, 2 nays to cease debate, Mr. President.

SPEAKER MARVEL: The motion is carried. Debate ceases. Senator Burrows.

SENATOR BURROWS: The amendment before you is to say in the bill that in no case shall the simple annual interest rate exceed 12 1/2 percent. That is what we are selling the bill as simple annual interest.

SPEAKER MARVEL: All those in favor of the motion.... Senator Burrows...

SENATOR GOODRICH: We have one question to ask to simplify the legislative intent, and that's all.

SPEAKER MARVEL: Well, what is your question?

SENATOR GOODRICH: Okay, he is saying in essence that his amendment would allow for simple interest at 12 1/2 percent. He surely does not mean, for example, that in those cases like the Small Loan Act where there is a license to exceed the simple interest rate, that that would be affected also. This only affects the mortgage loan rates on conventional mortgage loans. That's your intent, isn't it, Senator Burrows? You're not trying to affect the Small Loan Act, the installment loan act of the lenders or bankers and stuff like that? You're not trying to affect those loans, those small loans?

SENATOR BURROWS: This refers to the general usury rate.... those provisions subject to it.